

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 14896

PERMIT 9165

LICENSE 4969

ORDER CORRECTING DESCRIPTION OF SOURCE

WHEREAS:

1. License 4969 was issued to Malcolm R. Hill, M.D. and was filed with the County Recorder of Nevada County on March 10, 1958.
2. License 4969 was subsequently assigned to Delton E. Pharis, Mary L. Givens, Gail E. Faught, Nadine D. Faught, Lloyd J. Chittock, and Wilda M. Chittock.
3. The source covered by License 4969 was originally shown upon the U.S.G.S. Rough and Ready 7.5' Quadrangles as Nigger Creek but said source has now shown on the current prints of said U.S.G.S. Quadrangles as an unnamed stream.
4. Said Nigger Creek name is also shown upon Nevada County maps as Wildwood Creek.
5. The Board has determined that such correction in name of source is proper and will not operate to the injury of any other legal user of water involved.

NOW THEREFORE IT IS ORDERED:

1. That the description of the source under said License 4969 be corrected to read as follows:

UNNAMED STREAM (AKA WILDWOOD CREEK) TRIBUTARY TO DEER CREEK
THENCE YUBA RIVER.

Dated: **NOVEMBER 19 1976**

R. L. Rosenberger
R. L. Rosenberger, Chief
Division of Water Rights

3

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 14896

PERMIT 9165

LICENSE 4969

ORDER ALLOWING CHANGE IN PURPOSE OF USE AND PLACE OF USE

WHEREAS:

1. Petitions for change in purpose of use and place of use under License 4969 have been filed with the State Water Resources Control Board and said Board has determined that good cause for such changes has been shown.
2. License 4969 was issued to Malcolm R. Hill, M.D. and was filed with the County Recorder of Nevada County on March 10, 1958.
3. License 4969 was subsequently assigned to Delton E. Pharis, Mary L. Givens, Gail E. Faught, Nadine D. Faught, Lloyd J. Chittock, and Wilda M. Chittock.
4. The Board has determined that these changes in purpose of use will not operate to the injury of any other legal user of water involved.

NOW, THEREFORE, IT IS ORDERED:

1. That permission is hereby granted to change the purpose of use under said License 4969 as follows:

RECREATIONAL.

2. That permission is hereby granted to change the place of use to a place of use described as follows:

AT THE RESERVOIR WITHIN NW $\frac{1}{4}$ OF SW $\frac{1}{4}$, SW $\frac{1}{4}$ OF SW $\frac{1}{4}$ AND NE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SECTION 23, T16N, R7E, MDB&M.

Dated: **NOVEMBER 19 1976**

R. L. Rosenberger
R. L. Rosenberger, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 14896

PERMIT 9165

LICENSE 4969

THIS IS TO CERTIFY, That **Malcolm R. Hill, M. D.** Notice of Assignment (Over)
P. O. Box 18

Rough and Ready, California
made proof as of June 7, 1956

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Nigger Creek in Nevada County

tributary to **Deer Creek**

for the purpose of **irrigation use**
under Permit **9165** of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from **July 8, 1952**
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed **ten (10) acre-feet per**
annum to be collected from about December 1 of each year to about March 1 of the
succeeding year.

The point of diversion of such water is located north one thousand one hundred (1100)
feet and east one thousand (1000) feet from SW corner of Section 23, T16N, R7E, MDB&M,
being within SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 23.

A description of the lands or the place where such water is put to beneficial use is as follows:

12 acres within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22, T16N, R7E, MDB&M
11 acres within SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22, T16N, R7E, MDB&M
23 acres total

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

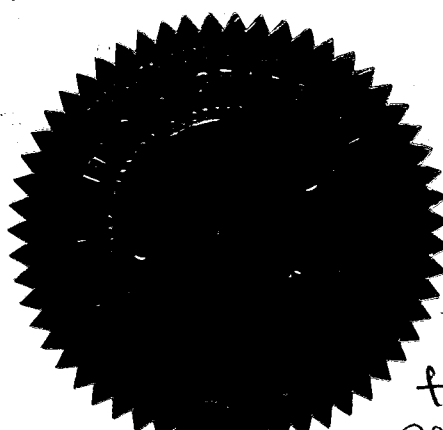
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAR 7 1958

STATE WATER RIGHTS BOARD



By Leslie C. Jopson
LESLIE C. JOPSON
Chief Engineer

5/4/65 RECEIVED NOTICE OF ASSIGNMENT TO Delton E.

Pharis, Mary S. Livens, Lawrence
Furio, Marcelle Furio, Gail E. Faught,
Nadine W. Faught

10/16/69 of in of Lawrence & Marcelle Furio
RECEIVED NOTICE OF ASSIGNMENT TO Lloyd J. & Wilbur M.
Chittick

LICENSE 4969

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Malcolm R. Hill, M. D.

DATED MAR 7 1958

54170 4-57 5M ① SFO

2